

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

May 27, 2002

There were no minutes for this date.

May 28, 2002

- C028700 THE PEOPLE v. RIDLEY (Not for Publication)**
Because none of defendant's remaining assertions of error have merit, we now affirm the judgment in all respects.
RAYE, J.
We concur: Sims, Acting P.J.
Davis, J.
- C036490 THE PEOPLE v. CANTRELL (Not for Publication)**
The judgment is affirmed.
NICHOLSON, J.
We concur: Blease, Acting P.J.
Davis, J.
- C036897 THE PEOPLE v. WILLOTT (Not for Publication)**
The judgment is affirmed.
HULL, J.
We concur: Davis, Acting P.J.
Nicholson, J.
- C037642 THE PEOPLE v. DEHERRERA (Not for Publication)**
The judgment is affirmed.
RAYE, J.
We concur: Scotland, P.J.
Hull, J.
- C037771 THE PEOPLE v. CONNELL (Not for Publication)**
The judgment is affirmed.
NICHOLSON, J.
We concur: Blease, Acting P.J.
Callahan, J.
- C037781 In re AUSTIN T.; THE PEOPLE v. AUSTIN T. (Not for Publication)**
The order requiring the minor to pay restitution to Julie Williams is vacated and the matter remanded to the juvenile court for a new restitution hearing. In all other respects the judgment is affirmed.
SIMS, Acting P.J.
We concur: Davis, J.
Hull, J.

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The Minutes

May 28, 2002, continued

- C038390 THE PEOPLE v. CASTANEDA (Not for Publication)**
The judgment is affirmed.
 RAYE, J.
We concur: Scotland, P.J.
 Callahan, J.
- C039125 THE PEOPLE v. OWENS (Not for Publication)**
The judgment of conviction is affirmed. The trial court is directed to prepare a corrected abstract of judgment to reflect the sentence as it was imposed and to forward a copy of corrected abstract to the Department of Corrections.
 HULL, J.
We concur: Blease, Acting P.J.
 Robie, J.
- C039261 THE PEOPLE v. VUE (Not for Publication)**
The judgment is modified to award defendant 82 days of conduct credit along with his 165 days of actual presentence custody credit, for a total of 247 days of presentence credit. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment to reflect the modification and to send a certified copy of the amended abstract to the Department of Corrections.
 SCOTLAND, P.J.
We concur: Sims, J.
 Hull, J.
- C039401 THE PEOPLE v. DAVIS (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Blease, Acting P.J.
 Morrison, J.
- C039581 THE PEOPLE v. VOEUN (Not for Publication)**
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Sims, J.
 Hull, J.
- C039815 THE PEOPLE v. MENDOZA (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Scotland, P.J.
 Sims, J.

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The Minutes

May 28, 2002, continued

C035823 SMEDLEY, etc. v. THE RAYMOND CORPORATION (Not for Publication)

THE COURT:

It is ordered that the opinion filed herein on April 29, 2002, be modified as follows...There is no change in the judgment.

FOR THE COURT:

Blease, Acting P.J.

Davis, J.

Callahan, J.

May 29, 2002

C032839 THE PEOPLE v. STOWELL (Not for Publication)

The judgment is affirmed.

Kolkey, J.

We concur: Blease, Acting P.J.

Morrison, J.

C037432 THE PEOPLE v. BRAY (Not for Publication)

The case is remanded to the trial court with directions to strike the two 1-year enhancements imposed under section 667.5, subdivision (b), in connection with defendant's two prior convictions for assault in 1983 and 1992 and to strike the single one-year enhancement imposed for defendant's prison term in Oklahoma. Otherwise, the judgment is affirmed. The trial court shall submit a certified copy of the amended abstract of judgment to the Department of Corrections.

KOLKEY, J.

We concur: Morrison, Acting P.J.

Hull, J.

C037934 THE PEOPLE v. MIRANDA (Not for Publication)

The judgment is reversed and the cause is remanded with directions to the trial court to refer the matter to the Yolo County Probation Department for preparation of a supplemental probation report, and thereafter to consider the supplemental report and to pronounce such lawful judgment, or order, as the court may determine.

HULL, J.

We concur: Blease, Acting P.J.

Morrison, J.

C038900 THE PEOPLE v. JEFFRIES (Not for Publication)

The judgment is affirmed.

HULL, J.

We concur: Scotland, P.J.

Sims, J.

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The Minutes

May 29, 2002, continued

- C039009 THE PEOPLE v. GRIGALBA (Not for Publication)**
The order of probation is reversed and the matter is remanded to the trial court for resentencing in accordance with the provisions of Proposition 36.
 DAVIS, J.
We concur: Scotland, P.J.
 Kolkey, J.
- C039056 THE PEOPLE v. THOMAS (Not for Publication)**
The judgment is affirmed.
 BLEASE, Acting P.J.
We concur: Morrison, J.
 Hull, J.
- C035539 HIGH v. DEPARTMENT OF CORRECTIONS (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Blease, Acting P.J.
 Sims, J.
- C036661 YUBA CYPRESS HOUSING PARTNERS, LTD., and SMITH v. AREA DEVELOPERS (Certified for Partial Publication)**
The judgment is reversed to the extent it denies plaintiff an award of attorney fees incurred on appeal. In all other respects, the judgment is affirmed. The matter is remanded to the trial court with directions to calculate the reasonable amount of attorney fees that plaintiff incurred on appeal and to which he is entitled. Defendant shall reimburse plaintiff for his costs on appeal. (Rule 26(a).)
 SCOTLAND, P.J.
We concur: Davis, J.
 Callahan, J.
- C038036 PAULSON, INC. v. MURNANE (Not for Publication)**
The judgment is reversed to the extent that it awards Paulson \$158,000 in damages, and the matter is remanded for a limited new trial on the amount of damages. In all other respects, the judgment is affirmed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 26(a).)
 SCOTLAND, P.J.
We concur: Sims, J.
 Morrison, J.

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Scotland, P.J.
Callahan, J.
Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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The Minutes

May 29, 2002, continued

C040041 CLARKE et al. v. HOLDEN

BY THE COURT:

Appellant's motion to reinstate the appeal is granted. The order of May 9, 2002, dismissing the appeal is vacated, and the appeal is reinstated.

Appellant's opening brief shall be served and filed on or before June 13, 2002. Failure to file the brief by this date will result in the immediate dismissal of the appeal without further warning.

SCOTLAND, P.J.

C040043 HOLDEN v. WENDORFF et al.

BY THE COURT:

Appellant's motion to reinstate the appeal is granted. The order of May 9, 2002, dismissing the appeal is vacated, and the appeal is reinstated.

Appellant's opening brief shall be served and filed on or before June 13, 2002. Failure to file the brief by this date will result in the immediate dismissal of the appeal without further warning.

SCOTLAND, P.J.

May 30, 2002

C036251 THE PEOPLE v. BAILEY

(Not for publication)

The judgment is affirmed.

SCOTLAND, P.J.

We concur: Davis, J.

Raye, J.

C036843 THE PEOPLE v. LINTON

(Not for Publication)

The judgment is affirmed.

DAVIS, J.

I concur: Callahan, J.

I concur in the result:

Blease, Acting P.J.

**C035330 STOCKETT et al. v. ASSOCIATION OF CALIFORNIA WATER AGENCIES
C035469 JOINT POWERS INSURANCE AUTHORITY**

(Not for Publication)

The judgment is reversed. JPIA shall recover its costs on appeal.

MORRISON, J.

We concur: Sims, Acting P.J.

Kolkey, J.

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The Minutes

May 30, 2002, continued

- C036312 GORMAN v. CROTTY et al. (Not for Publication)**
The judgment is reversed. The cause is remanded to the trial court with directions to overrule the demurrer and to proceed in a manner consistent with the views expressed herein. Gorman shall recover costs on appeal.
 CALLAHAN, J.
We concur: Morrison, Acting P.J.
 Kolkey, J.
- C037352 NEWELL v. HAUSCHILDT et al. (Not for Publication)**
The judgment is affirmed.
 DAVIS, J.
We concur: Blease, Acting P.J.
 Callahan, J.
- C038105 JONES v. GOURLEY, etc. (Not for Publication)**
The judgment is affirmed. The trial court is directed to conform the writ to the judgment.
 BLEASE, Acting P.J.
We concur: Davis, J.
 Callahan, J.
- C039292 In re S.P.; BUTTE COUNTY CHILDREN'S SERVICES DIVISION v. T. P. (Not for Publication)**
The judgment is affirmed.
 KOLKEY, J.
We concur: Scotland, P.J.
 Davis, J.

May 31, 2002

- C038164 THE PEOPLE v. ROLLINS (Not for Publication)**
The judgment is affirmed.
We concur: CALLAHAN, J.
 Scotland, P.J.
 Raye, J.

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The Minutes

May 31, 2002, continued

- C039217 THE PEOPLE v. LUNDIN (Not for Publication)**
The judgment is modified by adding a \$50 criminal laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)), a \$50 state penalty assessment (Pen. Code, § 1464), and a \$35 county penalty assessment (Gov. Code, § 76000). As modified, the judgment is affirmed. The trial court is directed to amend the minute order granting probation ("ORDER OF COURT/CONDITIONS OF PROBATION") to reflect the fee and penalty assessments, and is further directed to send a certified copy of the amended order to defendant, her probation officer, and to the Department of Corrections.
MORRISON, J.
We concur: Scotland, P.J.
 Sims, J.
- C035882 McKEOWN v. McKEOWN (Not for Publication)**
The order is affirmed. Appellant's October 13, 2000, request for judicial notice is granted. The parties shall bear their own costs on appeal.
MORRISON, J.
We concur: Scotland, P.J.
 Davis, J.
- C036803 ANDERSON v. BOARD OF PSYCHOLOGY and LEATHAM et al. (Not for Publication)**
The judgment is affirmed.
HULL, J.
We concur: Davis, Acting P.J.
 Nicholson, J.
- C037572 KEEGAN v. KEEGAN (Not for Publication)**
The judgment is affirmed. Victoria shall recover costs on appeal.
RAYE, J.
We concur: Nicholson, Acting P.J.
 Kolkey, J.
- C039350 In re JAMIE W.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. LINDA T. (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We concur: Scotland, P.J.
 Sims, J.
- C035172 WALLIS v. STROHL**
BY THE COURT:
Respondent's petition for rehearing and request to publish is denied.
SCOTLAND, P.J.